

**Duchesne County Planning, Zoning
& Community Development**
734 North Center Street
P.O. Box 317
Duchesne, Utah 84021
(435) 738-1152
Fax (435) 738-5522

RECEIVED

AUG 10 2009

DIV. OF OIL, GAS & MINING

August 6, 2009

Mr. Shon McKinnon
Jake Huffman Enterprises
PO Box 330
Altamont, UT 84001-0330

RE: Planning Commission Approval of Conditional Use Permit

Dear Mr. McKinnon:

At the August 5, 2009 meeting of the Duchesne County Planning Commission a public hearing was held to consider your request for a conditional use permit to extract earth products (gravel pit and rock crusher) on approximately five acres of a 37.88-acre parcel owned by Gary Shields, located on the north side of the Lake Boreham Road in the west ½ of Section 29, Township 3 South, Range 2 West.

After testimony and discussion, the Planning Commission adopted findings to approve the request, subject to the following conditions:

1. Applicant shall control dust and noise so neither becomes a nuisance.
 - a. A dust control plan, approved by the TriCounty Health Department, shall be implemented throughout the course of the operations.
 - b. Applicant shall comply with the construction activity noise time limits of the Nuisance Ordinance.
2. Applicant shall maintain a reclamation bond in effect during the course of the mining operations. The bond shall name the County as a beneficiary to the level of at least \$5,000.00 for the first acre and \$3,000.00 per additional acre to be disturbed at any one time.
3. Applicant agrees to reclaim (re-contour) the site at the conclusion of mining operations in a manner acceptable to Duchesne County and the property owner pursuant to the "Material Pit Finishing" standards attached to this letter.
4. Applicant shall provide the county with a copy of the DEQ air quality permit for the crusher prior to further operations at this site. The requirements of the DEQ air quality permit shall also be requirements of the Conditional Use permit.
5. Applicant shall not allow truck trips during the school year while children are walking on the road to the bus stop (no truck trips before 9:00 AM or after 2:30 PM on school days, unless the Duchesne County School District agrees to provide bus service to the school children's driveways along the Lake Boreham Road).

Mr. Shon McKinnon
Jake Huffman Enterprises
August 6, 2009
Page 2

If any party who participated in the hearing is aggrieved by the decision, an appeal may be filed with the Duchesne County Commissioners within ten days of the date of this letter. If there is no successful appeal, you have 18 months to activate this permit by starting excavation.

Please provide a copy of your dust control plan to us, as well as to the Utah DEQ and Tri County Health Department, at the addresses listed below.

If you have any questions regarding this letter, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hyde", with a stylized flourish extending from the end.

Mike Hyde, AICP
Community Development Administrator

pc: Scott Hacking, Utah DEQ, 281 E 200 North, Roosevelt, UT 84066
Darrin Brown, Tri County Health Dept., 133 S 500 East, Vernal, UT 84078
Leslie Heppler, Div. Of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, UT 84114
Gary Shields, HC 64, Box 410, Duchesne, UT 84021-9021
Richard and Melody Miller, PO Box 37, Myton, UT 84052-0037
Jason and Tara Kinney, HC 64, Box 414, Duchesne, UT 84021-9021
Mark Mecham, Duchesne County Schools, 900 E Lagoon (124-6), Roosevelt, UT 84066

MATERIAL PIT FINISHING

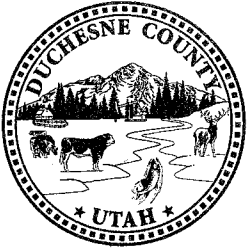
Material pits shall be finished so as to leave a pleasing appearance.

Waste deposits shall be placed in areas the least visible from public view. The material shall be spread so as to obtain a natural appearance.

Topsoil if present, shall be stripped and stockpiles shall be spread over the excavated area as a part of pit finishing.

When excavation has been completed from the pit, all trash shall be removed and excess materials shall be removed, buried, or distributed over the pit areas. The pit shall be graded to approved lines and grades, the topsoil shall be then spread over the area. In general, vertical cuts and sharp corners shall be avoided, Side slopes shall be reasonable flat. Haul roads constructed by the Contractor and which are to be abandoned, shall be obliterated. Pit will be left in a positive drainage condition.

Where climatic and soil conditions are favorable for plant growth, The Contractor, shall seed the pit, denuded areas around the pit resulting from his operation and obliterated haul roads, with a grass or grasses adaptable to the area and approved by the property owner.



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Jake Huffman Enterprises
PO Box 330
Altamont, UT 84001-0330

RE: Planning Commission Approval of Conditional Use Permit

Dear Mr. McKinnon:

At the August 5, 2009 meeting of the Duchesne County Planning Commission a public hearing was held to consider your request for a conditional use permit to extract earth products (gravel pit and rock crusher) on approximately five acres of a 40-acre parcel owned by the Donna Clayburn Trust, located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 4 South, Range 3 West.

After testimony and discussion, the Planning Commission adopted findings to approve the request, subject to the following conditions:

1. Applicant shall control dust and noise so neither becomes a nuisance.
 - a. A dust control plan, approved by the TriCounty Health Department, shall be implemented throughout the course of the operations.
 - b. Applicant shall comply with the construction activity noise time limits of the Nuisance Ordinance.
2. Applicant shall maintain a reclamation bond in effect during the course of the mining operations. The bond shall name the County as a beneficiary to the level of at least \$5,000.00 for the first acre and \$3,000.00 per additional acre to be disturbed at any one time.
3. Applicant agrees to reclaim (re-contour) the site at the conclusion of mining operations in a manner acceptable to Duchesne County and the property owner pursuant to the "Material Pit Finishing" standards attached to this letter.
4. Applicant shall provide the county with a copy of the DEQ air quality permit for the crusher prior to operations at this site. The requirements of the DEQ air quality permit shall also be requirements of the Conditional Use permit.

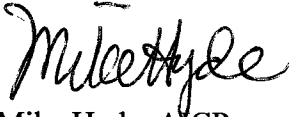
Mr. Shon McKinnon
Jake Huffman Enterprises
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Page 2

If any party who participated in the hearing is aggrieved by the decision, an appeal may be filed with the Duchesne County Commissioners within ten days of the date of this letter. If there is no successful appeal, you have 18 months to activate this permit by starting excavation.

Please provide a copy of your dust control plan to us, as well as to the Utah DEQ and Tri County Health Department, at the addresses listed below.

If you have any questions regarding this letter, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Hyde", with a stylized flourish at the end.

Mike Hyde, AICP
Community Development Administrator

pc: Scott Hacking, Utah DEQ, 281 E 200 North, Roosevelt, UT 84066
Darrin Brown, Tri County Health Dept., 133 S 500 East, Vernal, UT 84078
Leslie Heppler, Div. Of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, UT 84114
Donna Clayburn Trust, HC 64, Box 450, Duchesne, UT 84021-9021

MATERIAL PIT FINISHING

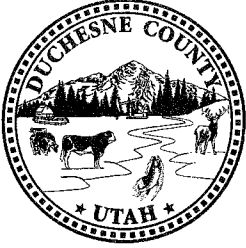
Material pits shall be finished so as to leave a pleasing appearance.

Waste deposits shall be placed in areas the least visible from public view. The material shall be spread so as to obtain a natural appearance.

Topsoil if present, shall be stripped and stockpiles shall be spread over the excavated area as a part of pit finishing.

When excavation has been completed from the pit, all trash shall be removed and excess materials shall be removed, buried, or distributed over the pit areas. The pit shall be graded to approved lines and grades, the topsoil shall be then spread over the area. In general, vertical cuts and sharp corners shall be avoided, Side slopes shall be reasonable flat. Haul roads constructed by the Contractor and which are to be abandoned, shall be obliterated. Pit will be left in a positive drainage condition.

Where climatic and soil conditions are favorable for plant growth, The Contractor, shall seed the pit, denuded areas around the pit resulting from his operation and obliterated haul roads, with a grass or grasses adaptable to the area and approved by the property owner.



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August 6, 2009

Mr. Junior Jessen
Nile Chapman Construction
PO Box 98
Roosevelt, UT 84066-0098

RE: Planning Commission Approval of Conditional Use Permit

Dear Mr. Jessen:

At the August 5, 2009 meeting of the Duchesne County Planning Commission a public hearing was held to consider your request for a conditional use permit to extract earth products (gravel pit and rock crusher) on 40 acres of land owned by Ned B. Mitchell Inc., located in the SW ¼ of the SE ¼ of Section 36, Township 2 South, Range 5 West, north of Highway 35 in the Utahn area.

After testimony and discussion, the Planning Commission adopted findings to approve the request, subject to the following conditions:

1. Applicant shall control dust and noise so neither becomes a nuisance.
 - a. A dust control plan, approved by the TriCounty Health Department, shall be implemented throughout the course of the operations.
 - b. Applicant shall comply with the construction activity noise time limits of the Nuisance Ordinance if complaints are received about the 6:00 AM to 10:00 PM operating hours proposed.
2. Applicant shall maintain a reclamation bond in effect during the course of the mining operations. The bond shall name the County as a beneficiary to the level of at least \$5,000.00 for the first acre and \$3,000.00 per additional acre to be disturbed at any one time.
3. Applicant agrees to reclaim the site at the conclusion of mining operations in a manner acceptable to Duchesne County and the property owner pursuant to the "Material Pit Finishing" standards attached to this letter.
4. Applicant shall obtain written permission from Mr. and Mrs. W. C. Wilson to access the site or arrange for an alternate access route.
5. Applicant shall provide the county with a copy of the DEQ air quality permit for the crusher prior to operations at this site. The requirements of the DEQ air quality permit shall also be requirements of the Conditional Use permit.

Mr. Junior Jessen
Nile Chapman Construction
August 6, 2009
Page 2

If any party who participated in the hearing is aggrieved by the decision, an appeal may be filed with the Duchesne County Commissioners within ten days of the date of this letter. If there is no successful appeal, you have 18 months to activate this permit by starting excavation.

Please provide a copy of your dust control plan to us, as well as to the Utah DEQ and Tri County Health Department, at the addresses listed below. Prior to starting operations on this site, please provide this office with a copy of the written permission from Mr. and Mrs. W. C. Wilson to utilize their property for access.

If you have any questions regarding this letter, please contact this office.

Sincerely,



Mike Hyde, AICP
Community Development Administrator

pc: Scott Hacking, Utah DEQ, 281 E 200 North, Roosevelt, UT 84066
Darrin Brown, Tri County Health Dept., 133 S 500 East, Vernal, UT 84078
Leslie Heppler, Div. Of Oil, Gas & Mining, P.O. Box 145801, Salt Lake City, UT 84114
Fess Scott, Region 3 UDOT, 658 N 1500 West, Orem, UT 84057
Ned B. Mitchell, Inc., PO Box 186, Altamont, UT 84001-0186
Mr. and Mrs. W. C. Wilson, HC 63, Box 34, Duchesne, UT 84021-9701

MATERIAL PIT FINISHING

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Waste deposits shall be placed in areas the least visible from public view. The material shall be spread so as to obtain a natural appearance.

Topsoil if present, shall be stripped and stockpiles shall be spread over the excavated area as a part of pit finishing.

When excavation has been completed from the pit, all trash shall be removed and excess materials shall be removed, buried, or distributed over the pit areas. The pit shall be graded to approved lines and grades, the topsoil shall be then spread over the area. In general, vertical cuts and sharp corners shall be avoided, Side slopes shall be reasonable flat. Haul roads constructed by the Contractor and which are to be abandoned, shall be obliterated. Pit will be left in a positive drainage condition.

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